

ALICIA LEDUC MONTGOMERY, OSB 173963

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

JOHN LEE MALAER,

Plaintiff,

v.

GEOFFREY KIRKPATRICK, an individual; MICHAEL WULFF, an individual; OMAR ESQUEDA, an individual; ASHLEY MCFALL, an individual; CITY OF MEDFORD, a government agency; JACKSON COUNTY, a government agency; NATHAN SICKLER, in his individual and official capacity; and BRIAN KOLKEMO, an individual,

Defendants.

Case No. 1:20-cv-00049-CL

DECLARATION OF ALICIA LEDUC MONTGOMERY IN SUPPORT OF PLAINTIFF'S REPLY IN SUPPORT OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANT JACKSON COUNTY

I, Alicia J. LeDuc Montgomery, declare:

1. I am over the age of 18 years and I make this declaration based on my personal knowledge of the facts contained herein.
2. I am the attorney for Plaintiff in this case.

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3. Plaintiff's Exhibit 48 cited in connection with the Declaration of Alicia LeDuc Montgomery in support of Plaintiff's Motion for Partial Summary Judgment, filed at ECF 258-262 in this matter, was inadvertently left out of the Dropbox upon filing. I uploaded Exhibit 48 to the Dropbox and notified defense counsel in November 2023. Exhibit 48 is a compilation of excerpts from Exhibits 21, 22, 65, 66, and 74, to which Defendants had access via the Dropbox.

4. Attached as **Exhibit 76** is a true and correct copy of an unofficial timeline summary of key events and associated timestamps regarding the detention of Plaintiff inside the Jackson County jail from July 11-12, 2019. This timeline was created by LeDuc Montgomery LLC based on a review of the video and audio evidence produced by County Defendants in this case. The exhibit provides timestamps of events occurring within the following documents produced by the County Defendants in discovery in this case: JC000058 - JC000085. The exhibit numbers and Bates stamps in this timeline correspond with video and audio file exhibits submitted with the Declaration of Alicia LeDuc Montgomery in support of Plaintiff's Motion for Partial Summary Judgment against County Defendants filed at ECFs 258-262 in this matter.

5. This timeline is provided as a demonstrative to aid the Court in reviewing video and audio evidence in this case. It is not intended as a definitive statement of all events transpiring in the jail which give rise to or support Plaintiff's claims against the County Defendants.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: December 20, 2023

s/ Alicia J. LeDuc Montgomery
Alicia J. LeDuc Montgomery
Attorney for Plaintiff John Lee Malaer

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